

## CITY OF ISSAQUAH MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)

**Description of Proposal:** Proposal for a 17-unit single-family duplex senior housing development on a 1.84 acre site. The proposal would construct buildings, install utilities, driveway access and landscaping. The proposed development would be associated with the existing Spiritwood Assisted Living Facility. There is a Class 3 intermittent stream on the site requiring a 50-foot buffer and the proposal would encroach approximately 1,500 SF into the buffer and provide an equal replacement buffer area to be enhanced with native trees and shrubs. The site would be accessed from a private drive off 228<sup>th</sup> Street SE.

**Proponent:** Rosejo LLC  
12600 SE 38<sup>th</sup> St., Ste. 210  
Bellevue, WA. 98006  
Attn: Ted Johnson

**Owner:** SRS Spirit LLC  
195 NE Gilman Blvd.  
Issaquah, WA. 98027

**Permit Number:** ASDP13-00007, AAS13-00002, AAS13-00003 – Cottages at Spiritwood

**Location of Proposal:** 36XX 228<sup>th</sup> Ave SE

**Lead Agency:** City of Issaquah

**Determination:** The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

**Comment/Appeal Period:** This DNS is issued under WAC 197-11-340(2) and 197-11-680(3)(a)vii. There is a 21-day combined comment/appeal period for this determination, between **September 25, 2013 and October 16, 2013**. Anyone wishing to comment may submit written comments to the Responsible Official. The Responsible Official will reconsider the determination based on timely comments. Any person aggrieved by this determination may appeal by filing a Notice of Appeal with the City of Issaquah Permit Center. Appellants should prepare specific factual objections. Copies of the environmental determination and other project application materials are available from the Issaquah Development Services Department, 1775 12th Avenue NW.

Appeals of this SEPA determination must be consolidated with appeal of the underlying permit, per IMC 18.04.250.

### Notes:

- 1) This threshold determination is based on review of the site plan, preliminary drainage and grading plan, preliminary utility plan, preliminary landscape plan received May 1, 2013; critical areas memo dated August 29, 2013 (Sewall Wetland Consulting); environmental checklist received May 1, 2013; and other documents in the file.
- 2) Issuance of this threshold determination does not constitute approval of the permit. The proposal will be reviewed for compliance with all applicable City of Issaquah codes, which regulate development activities, including the Land Use Code, Critical Area Regulations, Building Codes, Clearing and Grading Ordinance, and Surface Water Design Manual.

## Findings:

1. Land Use: The site is zoned Professional Office (PO) which allows for multi-family development including senior housing. There is no residential density limit in the PO zone; the density is limited by development standards including the impervious surface ratio (maximum 65% of site), building height, setbacks, etc. The proposed senior housing development would be associated with and complimentary to the existing Spiritwood Assisted Living Facility. The west boundary of the subject site is adjacent to existing residences in the Providence Point retirement community. To mitigate for visual impacts and to address compatibility between the adjacent land uses, the applicant shall landscape the 20-foot rear yard building setback with dense, sight-obscuring landscaping.
2. Environmental Critical Areas – There is a Class 3 intermittent stream on the site, located to the east of the proposed development. A 50-foot buffer is required per the Issaquah Critical Areas Regulations. The flagging of the ordinary high water mark (OHWM) and buffer was previously determined and recorded with a lot line adjustment in 2011, (PLN11-00056). The OHWM was re-confirmed as accurate for this project (Sewall Wetland Consulting, Inc., August 29, 2013 memo). The proposal would encroach into the stream buffer approximately 1,506 SF and would buffer average by adding a buffer replacement area (1,526 SF) outside and adjacent to the required stream buffer. The buffer replacement area, located along the east side of the entry drive would be enhanced with native trees and shrubs. A planting plan for the buffer enhancement area shall be submitted by the applicant and approved by the City prior to issuance of construction permits. The following measures shall apply to the stream buffer enhancement plan:
  1. Plant species shall be native (no cultivars), and appropriate for stream buffers and site conditions.
  2. The enhancement plan shall meet standards of the King County Critical Areas Mitigation Guidelines for the planting density and performance standards.
  3. The applicant shall provide an as-built plan of the stream buffer enhancement and the consulting biologist shall verify in writing that the planting has been installed per plan.
  4. A 5-year monitoring/maintenance period is required. The applicant shall provide a bond amount equal to 50% of the cost of plants and the 5-year monitoring/maintenance cost.
  5. Landscaped areas adjacent to the stream buffer shall also be planted with native plant species.
3. Traffic – The proposed development would be accessed from a private drive off 228<sup>th</sup> Street SE. This drive also provides access to the existing Spiritwood Assisted Living Facility and the Evergreen Academy Montessori School. The driveway access crosses an existing bridge over the intermittent stream in order to access the proposal. The 17-unit senior housing development would generate 2.72 PM peak hour trips, according to the Institute of Transportation Engineers Trip Generation Manual (ITE Manual, 8<sup>th</sup> Edition, Land Use 252, attached senior housing). A Traffic Concurrency Certificate (CON13-00004) was issued concluding the number of trips generated would not impact level of service standards at intersections. A site access analysis was prepared by the Evergreen Academy development to evaluate traffic operations for the driveway access onto 228<sup>th</sup> Ave SE. As a result of the site access analysis, channelization improvements were required to install a storage pocket/merge lane for left-turning vehicles onto 228<sup>th</sup> Ave SE. The design of the channelization improvement was coordinated with the City of Sammamish. The small number of additional traffic trips generated by the proposed senior housing development would not have an impact on the operation of the driveway access onto 228<sup>th</sup> Ave SE and no additional mitigation is required.
4. Pedestrian circulation – The proposed senior housing would have a direct relationship and services provided at the existing Spiritwood Assisted Living Facility. In order to access Spiritwood, residents

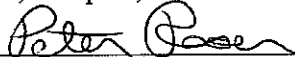
would need to follow the access drive and cross the driveway bridge. There is no sidewalk for pedestrians on the bridge. A future trail across the intermittent stream and stream buffer is strongly encouraged to provide a safe, more direct access to Spiritwood. There are on-site opportunities to mitigate for stream/stream buffer impacts from a trail crossing. The applicant shall provide a safe walking route for senior residents to access the Spiritwood Assisted Living Facility.

5. **Public Services** - The proposal would have a potential impact on public services, including police and general government buildings. IMC Chapter 18.18, Methods to Mitigate Development Impacts, provides alternatives to mitigate for direct impacts of proposed development. The City may approve a voluntary payment in lieu of other mitigation. Rate studies for police facilities and general government buildings are included in IMC 18.10.260 as the City's SEPA policy base. The rate studies present the methodology and formulas for determining the amount of the mitigation fee commensurate with the proposed land use and project impacts. The current mitigation fee is \$74.35 per new multi-family/single-family attached unit for the General Government Buildings mitigation fee and \$146.07 per new multi-family/single-family attached unit for the Police mitigation fee. The mitigation fee is paid at the time of building permit issuance and the actual fee amount is determined at that time. Applicant objections to the voluntary payment should be made during the SEPA comment period.

**Mitigation Measures:** The Mitigated Determination of Nonsignificance is based on the checklist received May 1, 2013 and supplemental information in the application. The following SEPA mitigation measures shall be deemed conditions of the approval of the licensing decision pursuant to Chapter 18.10 of the Issaquah Land Use Code. All conditions are based on policies adopted by reference in the Land Use Code.

- 1) The west boundary of the subject site is adjacent to existing residences in the Providence Point retirement community. To mitigate for visual impacts and to address compatibility between the adjacent land uses, the applicant shall landscape the 20-foot rear yard building setback with dense, sight-obscuring landscaping.
- 2) A planting plan for the stream buffer enhancement area shall be submitted by the applicant and approved by the City prior to issuance of construction permits. The following measures shall apply to the stream buffer enhancement plan:
  1. Plant species shall be native (no cultivars), and appropriate for stream buffers and site conditions.
  2. The enhancement plan shall meet standards of the King County Critical Areas Mitigation Guidelines for the planting density and performance standards.
  3. The applicant shall provide an as-built plan of the stream buffer enhancement and the consulting biologist shall verify in writing that the planting has been installed per plan.
  4. A 5-year monitoring/maintenance period is required. The applicant shall provide a bond amount equal to 50% of the cost of plants and the 5-year monitoring/maintenance cost.
  5. Landscaped areas adjacent to the stream buffer shall also be planted with native plant species.
- 3) The proposed senior housing would have a direct relationship and services provided at the existing Spiritwood Assisted Living Facility. The applicant shall provide a safe walking route for senior residents to access the Spiritwood Assisted Living Facility.
- 4) The applicant should mitigate for potential impacts on public services with a voluntary contribution for the General Government Buildings and Police Mitigation Fees. Applicant objections to the

voluntary payment should be made during the SEPA comment period. The mitigation fee is to be paid prior to issuance of building permits and the actual fee amount is determined at that time.

**Responsible Official:** Peter Rosen  
**Position/Title:** Environmental Planner  
**Address/Phone:** P.O. Box 1307, Issaquah, WA 98027-1307 (425) 837-3094  
**Date:** 9/25/2013 **Signature:** 

cc: Washington State Department of Ecology  
Muckleshoot Indian Tribe  
U.S. Army Corps of Engineers  
Washington State Department of Fish and Wildlife  
City of Sammamish  
Issaquah Development Services Department  
Issaquah Public Works Engineering and Parks and Recreation Departments